

NORFOLK, VIRGINIA
REAL ESTATE ASSESSMENT PUBLIC HEARING
AND
ACTION OF THE COUNCIL
TUESDAY, APRIL 25, 2017 – 7:00 P.M.

Mayor Alexander called the Real Estate Tax Public Hearing to order at 7:00 p.m. with the following members present: Ms. Graves Ms. Johnson, Ms. McClellan, Mr. Smigiel, Mr. Thomas and Dr. Whibley.

He noted no one had registered to speak for the 6:30 p.m. hearing, and asked if there was anyone present who wanted to speak.

One citizen came forward:

Mr. Ryan Chapman, 1004 Woronoca Avenue, Norfolk, asked Council not to increase the Real Estate Tax.

With no more speakers, Mayor Alexander adjourned the public hearing. He then called the Council meeting to order.

The opening prayer was offered by the Reverend Derek Koolman, Christ United Methodist Church, followed by the Pledge of Allegiance.

The following members were present: Ms. Graves, Ms. Johnson, Ms. McClellan, Mr. Smigiel, Mr. Thomas, Dr. Whibley and Mr. Alexander.

Mayor Alexander moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Whibley, Winn and Alexander.

No: None.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission, City Planning Commission**, to amend **Section 11-3 "Floodplain/Coastal Hazard Overlay Districts FPCHO"** of the **City's Zoning Ordinance**, in order to clarify requirements for accessory structures and to clarify terms.

Thereupon, an Ordinance entitled, "An Ordinance to amend and reordain **Sections 11-3.7 and 11-3.12** of the **Zoning Ordinance of the City of Norfolk, 1992**, **SO AS TO** update certain provisions of the Floodplain/Coastal Hazard Overlay Districts (FPCHO) relating to accessory structures," was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Monument Development Seven, LLC**, to designate the existing structure as a Norfolk Historic Landmark on property located at **529 W. 24th Street**.

The following persons were present to answer questions:

Allan Sullivan, 429 York Street, Chris Johnson and Tom Dickey, 1425 Cary Street, Richmond, VA.

Thereupon, an Ordinance entitled, “An Ordinance to designate the property located at **529 West 24th Street** as a **Norfolk Historic Landmark** and to amend the zoning map to show the designation,” was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-2A

An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit seven or more multi-family dwelling units on property located at **529 West 24th Street**,” was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-3

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Hank's Filling Station**, for a change of zoning from R-8 (Single-Family) to C-2 (Corridor Commercial) on property located at **810 43rd Street**.

Rick Henn, 1400 Granby Street and Richard Katz, 810 43rd Street, the applicant, were present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance to rezone property located at **810 43rd Street** from **R-8 (Single-Family Residential) District to C-2 (Corridor Commercial) District**," was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-3A

An Ordinance entitled, "An Ordinance granting a **Special Exception** authoring the operation of an entertainment establishment with alcoholic beverages known as "**Hank's Filing Station**" on properties located at **4301 Colley Avenue and 810 43rd Street**," was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-3B

An Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing off-premises alcohol sales at an establishment known as "**Hank's Filing Station**" on properties located at **4301 Colley Avenue and 810 43rd Street**," was introduced and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Smigiel, Thomas, Whibley, and Alexander.

No: Riddick.

PH-4

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend **Chapter 4, "Residence Districts,"** of the **Zoning Ordinance** to include **Single Family - Traditional (SF-T) District** and for a change of zoning from **R-8 (Single-Family) District and Residential Compatibility Overlay (RCO) District to Single Family -Traditional (SF-T) District.**

Bea Garvin Thompson, 964 Washington Avenue, President of the Olde Huntersville Civic League, stated that the Olde Huntersville Civic League supports this proposed project. She thanked Council for capturing the vision of the community. This was a collaboration between the City and the community to create opportunity for tax revenue, homeownership and a community that continues to thrive and move forward.

Carolyn Latham, 1819 Bracey Street, stated that she and her husband currently live in Huntersville, and that the once vibrant neighborhood as she remembers, will be thriving again.

Thereupon, an Ordinance entitled, "An Ordinance to amend the City's General Plan, *plaNorfolk2030*, **SO AS TO** adopt and incorporate the **"Norfolk Traditional Neighborhood Plan Book"** and to add new action items to support and incorporate the plan in the **Huntersville** neighborhood," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-4A

An Ordinance entitled, " An Ordinance to amend **Chapter 4** of the **Zoning Ordinance of the City of Norfolk, 1992**, **SO AS TO** create the **Single-Family Traditional (SF-T) Residential Zoning District.**

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-4B

An Ordinance entitled, "An Ordinance to rezone properties in the **Huntersville** neighborhood to **SF-T (Single-Family Traditional) District**.

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-5

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for a **Text Amendment to Section 11-27, "Park Place Residential Overlay District,"** of the City's Zoning Ordinance.

ACTION: Continued to May 9, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-6

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Norfolk Terminal, LP**, for the closing, vacating and discontinuing portions of **Springfield Avenue** lying east of **Ford Drive** and a portion of **Poppleton Street**.

ACTION: Continued to May 9, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. IF DISCUSSION IS DESIRED ON ANY ITEM, IT WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Special Exception** to permit seven or more multi-family dwelling units on properties located at **4334 to 4350 East Little Creek Road** and **7905 to 7917 Turner Road**.

Mike Lancaster, 808 Anglia Court, Virginia Beach, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

REGULAR AGENDA

R-1

Matter of letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of an auto title loan establishment named “**Loan Max**” on property located at **3607 North Military Highway**,” was introduced in writing and read by its title.

(APPLICANT REQUESTED THIS MATTER TO BE CONTINUED TO MAY 23, 2017.)

ACTION: The motion as introduced to continue to May 23, 2017, was **LOST**.

Yes: Thomas, Whibley and Alexander.

No: Graves, Johnson, McClellan, Riddick and Smigiel.

Olivia Wiggins, 4705 Columbus Street, the attorney, stated that she was not prepared and did not have permission to argue the case for the client. Originally Loan Max had been grandfathered in, but new requirements to build required a special exception as the original building burned down in February, 2017. She stated that Loan Max helps people that do not have the resources or the means to obtained money for any other financial institution. Some may see this as taking advantage of people, but her client sees it as helping people who have fallen on hard times.

ACTION: The Ordinance as introduced was **LOST**.

Yes: None.

No: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

R-2

Letter from the City Manager and a Resolution entitled, “A Resolution to approve the issuance by the **Joint Industrial Development Authority of the Northampton County and Towns of a Revenue and Refunding Bond** in an amount not to exceed \$10,000,000 for the benefit of the **Young Men’s Christian Association of South Hampton Roads** and upon which the City of Norfolk shall not have any payment obligation,” was introduced in writing and read by its title.

Kevin White, 1201 West 43rd Street, Richmond, VA, was present to answer questions.

ACTION: The Resolution as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an extension of **Lease Agreement** with **Little Creek National Pony League, Inc.** for the lease of a portion of City owned property located at **2100 Tarrallton Drive**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 25, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

NEW BUSINESS

1. Cuthrell Brockington, 2717 Colchester Crescent, President of Middletown Arch Civic League at Broad Creek, expressed concerns about the parking in the neighborhood. Sign restrictions for no parking between the hours of 8:00a.m. – 5:00p.m. had been covered up or removed. These signs were necessary for mail delivery, street sweeping trash collection and crime. He felt that changes affecting the community should have been brought to the civic league, and that did not happen. Also, the civic league submitted a petition for permit parking.
2. Bob Brown, 8507 Troy Street, representing the Citizens Recall Committee, stated that he is concerned about who will be appointed to replace Mr. Burfoot now that he's been convicted. He recommends that there be a full audit of the Treasurer's Department.
3. Michael Muhammad, 1216 Cary Court, has concerns about the City Attorney making deals with judges, taking down websites, and covering up for a school administrator, who is also a Councilman. He also requested an email that Mr. Pishko has withheld under attorney client privilege.
4. Danny Lee Ginn, 3844 Dare Circle, stated that the citizens have a lot of distrust and are frustrated with the City, and that he does not like the newly adopted Rules of Conduct.